



State of New Hampshire
WATER WELL BOARD



Kelly M. Dobrowolski, *Pump Installer, Chair*
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*
Scott Costa, C.W.D. - P.I., *Water Well Contractor*
Abigail Fopiano, P.G., *Staff*

Bart Cushing, *Technical Driller*
Rene Pelletier, P.G., *Dept. of Environmental Services*
Frederick H. Chormann, Jr., P.G., *State Geologist*
Steve Lamb, P.G., *Public Member*

Final

NH WATER WELL BOARD MINUTES

December 17, 2019

A meeting of the New Hampshire Water Well Board ("Board") was held on December 17, 2019, in the Department of Environmental Services (DES) Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Kelly Dobrowolski, Chair
Board Members: Scott Costa, Bart Cushing, Steve Lamb, Rick Chormann, and Rene Pelletier
DES Staff: Abigail Fopiano

Ms. Dobrowolski brought the Board meeting to order at 9:34 A.M.

Approval of Minutes

The Board reviewed the Minutes for the October 24, 2019 Board meeting. Mr. Chormann noted an edit that shall be made. Mr. Cushing motioned to approve the August 29, 2019 Water Well Board Minutes. Mr. Chormann seconded the motion and the Board unanimously voted to accept the August 29, 2019, Board meeting minutes with edits. Mr. Pelletier abstained from the vote as he was not present for the October 24, 2019 meeting.

New License Applications

Two license applicants were presented to the Board. The first applicant, Henry DeBoer Jr. is seeking domestic and industrial pump installers license under an existing company. Following review of the application, Mr. Cushing motioned to allow the applicant to sit for the exams. Mr. Chormann seconded the motion. The Board voted unanimously to allow the applicant sit for the exam.

The second applicant Duane Schillemat is seeking a domestic pump installers license for a new company, owned and operated by him, Duane's Services. Following a discussion, Mr. Pelletier motioned to allow the applicant to sit for the exam. Mr. Chormann seconded the motion. The Board unanimously voted to allow the applicant sit for the exam.

Probation Report

Ms. Fopiano reported that three licensees, Tri-State Drilling & Boring (License #1762), Wash Well Company (License #1464), and GeoSearch (License #1782) are considered in compliance with the terms of their probation. T&K Drilling's (License #1516) compliance with the terms of probation was discussed by the Board.

Sean McGarry, the licensed qualified individual for T&K Drilling (License #1516), did not submit a signed Affidavit and all outstanding well reports per the September 4, 2019 Decision and Order. Mr. McGarry submitted two letters to the Board on November 4, one requested an extension to sign the Affidavit and submit outstanding reports by February 15, 2019; the other was a compliance plan noting how he will be in compliance with well reporting in the future. The Board reviewed the two letters and discussed further action on License # 1516. Mr. Cushing noted that the compliance plan was not adequate in terms of detailing actions that will go into place. Mr. Cushing noted that DES is allowing payment to technical drillers that are not following Water Well Board rules by not submitting well reports and – and that is not good practice.

After Board discussion, Mr. Pelletier motioned to hold an Administrative Hearing on License #1516 on February 6, 2020, with a response to give Mr. McGarry until the close of business on January 17, 2020 to submit outstanding well completion and abandonment reports, submit a signed Affidavit, and submit a more detailed compliance plan. Mr. Costa seconded the motion. The Board voted unanimously to hold an Administrative Hearing for Licenses #1516 on February 6, 2020 with the stipulated conditions of submitting additional information by January 17, 2020.

Mr. Cushing requested that examples of the well reports that are being submitted by all those on probation be provided in the next Board meeting information packet.

The Board discussed electronic reporting and the ability for a person, who is not the qualified individual, to submit reports for a company. Mr. Fopiano explained the sign-up procedure for electronic reporting and that, to her knowledge, there are many companies where the person submitting the reports is not the qualified individual, but rather an employee or sub-consultant. The Board discussed the need for licensees who submit reports electronically to sign a form certifying that all reports submitted electronically under their license number shall be considered signed by them.

The Board broke from 10:35 A.M. to 10:45 A.M.

DES Enforcement Report

Ms. Emily Jones was not present for the meeting. Ms. Fopiano presented a brief summary for the Board on the enforcement actions initiated by DES for violations of RSA 482-B and the rules of the Board, We 100 – 1000. The report included an overview of the violations, DES actions and the current status of the specific cases handled over the last year.

Old Business

Current Status of HB 667

The Board discussed the current status of HB667; proposed legislation relative to private well testing. There has been a legislative sub-committee in place to work through drafting an updated proposal for the bill. Currently, the bill has been updated to incorporate two parts: (1) the RSA that details written components of real estate Purchase and Sales (P&S) agreements will be updated with language that

highlights common contaminants in well water, the recommendation to test and treat for then; and (2) RSA 482-B for the Water Well Board will require that the licensed pump installer, at the time of the pump installation on a new well, is responsible for having water quality analyzed and results provided to the well owner. This updated bill as passed through the sub-committee with a vote of 17-0 with ought-to-pass to the House. It will go before the House for vote to pass on January 8, 2020.

Mr. Pelletier noted that there is a proposed bill that the drinking water in rental properties be tested.

New Business

Ms. Fopiano noted there are documented studies about adverse health effects of drinking water with manganese at concentrations above EPA's health advisory concentration of 0.3 mg/L, specifically that ingestion at these concentrations can lead to neurological damage in infants and young children. There are a handful of states that have adopted this level as either a primary drinking water standard for public water supplies or a trigger concentration for public notice to all persons on a public water system. NH DES is beginning to look at the option to address elevated manganese concentrations in public water systems in similar ways. Ms. Fopiano will keep the Board apprised of any progress on this.

Ms. Fopiano provided the Board a tutorial of a new well report approval program that is being used by DES to input well data into the database and georeferenced well locations. It was discussed that this process will allow DES to add a cover page to reports that details the location – for some reports it will be shown in map view. There is also an option to attach septic system site plans to electronic versions (.pdf) of well reports that may become available through OneStop in the future. Ms. Fopiano noted that for those contractors that report wells online, there is a mapper program that will allow them to view wells spatially, rather than in the list form currently available through OneStop.

Mr. Cushing motioned to go into a non-public meeting. Mr. Pelletier seconded the motion, the Board unanimously voted to go into a non-public meeting at 12:02 P.M.

Mr. Pelletier motioned to come out of a non-public meeting. Mr. Cushing seconded the motion, the Board unanimously voted to come out of a non-public meeting at 1:06 P.M.

Mr. Cushing motioned to seal the minutes of the non-public meeting. Mr. Costa seconded the motion, the Board unanimously voted to seal the minutes of the non-public meeting.

Mr. Costa motioned to adjourn the meeting. Mr. Cushing seconded the motion, the Board unanimously voted to adjourn at 1:07 P.M.



Rene Pelletier
Water Well Board Secretary